

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-14 and 17-27 are pending, with Claims 1, 3, 4, 6-13, 17-20, 22, 24, and 25 amended and Claims 15-16 canceled by the present amendment.

In the Official Action, Claims 1-3, 7 and 22-24 were rejected under 35 U.S.C. §102(e) as being anticipated by Fujii et al. (U.S. Patent 6,853,401 hereinafter Fujii); Claims 4, 13, 25 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii in view of Tanaka et al. (U.S. Patent 6,130,420, hereinafter Tanaka); Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii and Tanaka in view of Koide et al. (U.S. Patent 6,870,566, hereinafter Koide); Claims 8-10 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii in view of Ueno (U.S. Patent Publication 2001/0012072); Claims 14 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii and Tanaka in view of Kijima et al. (U.S. Patent 6,700,610, hereinafter Kijima); Claims 15-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii in view of Yanai (U.S. Patent Publication 2003/0030737, now U.S. Patent No. 7,079,184); Claim 18 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fujii and Yanai in view of Ueno; and Claims 11 and 19-21 were indicated as containing allowable subject matter.

Applicant acknowledges with appreciation the indication of allowable subject matter.

Claims 1 and 22 are amended to recite additional features described in Applicant's originally filed specification.¹ No new matter is added.

Briefly recapitulating, amended Claim 1 is directed to

A digital camera, comprising:

¹ Specification, Figure 4 and pages 9-12.

an imaging device driven by a plurality of kinds of drive modes, the plurality of kinds of drive modes including a draft mode and a first frame mode;

an image display device having a number of pixels less than a number of pixels of the imaging device; and

an enlarging display setting device configured to enlarge a part of an area of a whole image obtained by the imaging device at a desired enlargement ratio and to display the part of the area being enlarged as an enlarged image on the image display device, wherein

the drive modes for driving the imaging device is changed to the first frame mode such that a resolution of the enlarged image is equal to or greater than a resolution of the image display device,

the first frame mode including dividing the overall pixels of the imaging device into a plurality of fields, and reading only one field out of the plurality of fields of the imaging device to obtain image data in one field, the enlarged image being taken in from at least a portion of the image data in one field.

Independent Claim 22 is directed to

A digital camera, comprising:

an imaging device driven by a plurality of kinds of drive modes, the plurality of kinds of drive modes including a draft mode and a first frame mode;

an image display device having a number of pixels less than a number of pixels of the imaging device; and

means for enlarging a part of an area of a whole image obtained by the imaging device at a desired enlargement ratio and for displaying the part of the area being enlarged as an enlarged image on the image display device,

wherein one of the at least two kinds of drive modes for driving the imaging device is changed to the first frame mode such that a resolution of the the enlarged image is equal to or greater than a resolution of the image display device,

the first frame mode including dividing the overall pixels of the imaging device into a plurality of fields, and reading only one field out of the plurality of fields of the imaging device to obtain image data in one field, the enlarged image being taken in from at least a portion of the image data in one field.

Fujii describes a digital camera arranged so that, when a second specified position controller is selected by a selector with a specified position being out of a display by an alteration in magnification by an altering member, the second specified position controller

shifts to a predetermined position within the screen. In a normal display state, resolution conversion unit 211h sends image data (formed by thinning image data acquired by CCD 303 into $\frac{1}{4}$) to image composing unit 211i. In an enlarged display state, resolution conversion unit 211h transfers one portion of image data acquired by CCD 303 to the image composing unit 211i, as it is (i.e., *without thinning*). In image composing unit 211i, the image input from the resolution conversion unit 211h and the image of the AF cursor input from the cursor display position control unit 211g are composed, and transmitted to the VRAM 210. This composing operation sets the size of the AF cursor CR on the LCD 10 to a constant size independent of the thinning rate in the resolution conversion unit 211h.²

However, Fujii does not describe Applicant's claimed plurality of kinds of drive modes including a draft mode and a first frame mode, where the first frame mode includes dividing the overall pixels of the imaging device into a plurality of fields, and reading only one field out of the plurality of fields of the imaging device to obtain image data in one field, the enlarged image being taken in from at least a portion of the image data in one field. Instead, in Fujii, the normal display state includes thinning, while the enlarged display state does not include thinning.

MPEP § 2131 notes that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Because Fujii does not disclose or suggest all of the features recited in Claims 1 and 22, Fujii does not anticipate the invention recited in Claims 1 and 22, and all claims depending therefrom.

² Fujii, Figure 9.

Yanai describes an image pickup apparatus having five modes of operation, including two kinds of thinning-out modes, (a moving image photographing mode and an image display mode) in addition to a high definition photographing mode. Photographing modes are switched by the photographing mode setting circuit. The five modes of Yanai include:

- The first image pickup mode is a mode for reading out charges of all the pixels in three fields and the number of vertical pixels is 1440.
- The second photographing mode is a mode for repeating one field processing among the three fields, with which moving image photography of vertical 480 lines can be performed. In the second photographing mode, the mechanical shutter is always open and exposure is controlled by the electronic shutter.
- The third photographing mode is a mode for repeating the processing of reading out the first field and the third field among the three fields and adding them up in the vertical CCDs to output the added-up fields. With this mode, moving image photography of vertical 480 lines can be performed.
- The fourth photographing mode is a mode for repeating a thinning-out field to always read out specific two pixels among twelve pixels in the vertical direction, and signals of 240 lines, which is 1/6 of the number of vertical pixels, are outputted. The signals of the vertical 240 lines can be used for moving image photography and, at the same time, are optimal for the number of display lines of an image display apparatus such as an LCD.
- The fifth photographing mode is a mode for repeating a thinning-out and addition field to always read out specific four pixels among the twelve pixels in the vertical direction, and add up charges adjacent to each other in the vertical direction to output them in the horizontal CCD, and signals of 240 lines, which is 1/6 of the number of vertical pixels, are outputted. The signals of the vertical 240 lines can be used for moving image photography and, at the same time, are optimal for the number of display lines of an image display device such as an LCD.

However, Yanai does not disclose or suggest any enlarging devices or modes, let alone Applicant's claimed first frame mode including dividing the overall pixels of the imaging device into a plurality of fields, and reading only one field out of the plurality of fields of the imaging device to obtain image data in one field, the enlarged image being taken in from at least a portion of the image data in one field.

Applicant has considered the remaining references and submit the remaining applied references also do not cure the deficiencies of Fujii. As none of the cited prior art,

individually or in combination, discloses or suggests all the elements of independent Claims 1 and 22, Applicant submits the inventions defined by Claims 1 and 22, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.³

Accordingly, in view of the present amendment and in light of the previous discussion, Applicant respectfully submits that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

James Love
Registration No. 58,421

I:\ATTY\JL\244611US\244611US-AM4.DOC

³ MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest **all** the claim limitations.